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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,634	07/30/2003	Hiroshi Iwai	2003_1059A	9147

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EXAMINER

PHAM, TUAN

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,634

Applicant(s)

IWAI ET AL.

Examiner

TUAN A. PHAM

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 10/30/2003, 02/02/2004, and 04/30/2004 has been considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. **Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Silzer, JR. (U.S. Pub. No.: 2004/0001022, hereinafter, "Silzer").**

Regarding claim 1, Silzer teaches a portable radio communication (see figure 1A, PDA 10) apparatus comprising:

a boom portion (read on handle 50, figure 6A) having both ends connected with a housing of said portable radio communication apparatus (see figure 6A, handle 50, housing of PDA 10) and having a central portion located between the both ends (see figure 6A, handle 50 has a central portion is parallel with housing of PDA, col.2, [0030]), and

at least one through hole formed between said boom portion and said housing (see figure 6A, the hole between the handle 50 and PDA's housing, col.2, [0030]).

Regarding claim 2, Silzer further teaches said boom portion includes the following: a central portion extending in parallel to a width direction of said portable radio communication apparatus (see figure 6A, handle 50 has a central portion is parallel with housing of PDA, col.2, [0030]); and two end portions bent respectively from both ends of the central portion (see figure 6A, handle 50 has a central portion is connected both end with housing of PDA, col.2, [0030]).

Regarding claim 3, Silzer further teaches the boom portion has a shape of arch (see figure 6A, handle 50).

Regarding claim 4, Silzer further teaches a thickness of each of both ends of said boom portion is larger than a thickness of the central portion of said boom portion (see figure 6D).

Regarding claim 5, Silzer further teaches a width of each of both ends of said boom portion is larger than a width of the central boom of said boom portion (see figure 6D).

Regarding claim 6, Silzer further teaches said boom portion is detachable from the housing (see figure 4A-4C, handle 50 is attached to the housing and can be detachable, col.2, [0029]).

Regarding claim 7, Silzer further teaches said boom portion is provided so as to extend on a plane substantially equal to a plane of a bottom surface of said portable radio communication apparatus (see figure 6A, handle 50 can be fold or unfold on the plane with the same distance).

Regarding claim 8, Silzer further teaches said boom portion is provided so as to be inclined so that the central portion of said boom portion protrudes from a plane of a bottom surface of said portable radio communication apparatus (see figure 6A, [0030], the handle 50 can be foldable).

Regarding claims 9-11, Silzer further teaches a dielectric which an elastic resin material (see col.2, [0030]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 15-17, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silzer, JR. (U.S. Pub. No.: 2004/0001022, hereinafter, "Silzer") into view of Busch (U.S. Pub. No.: 2001/0020335).

Regarding claim 15, Silzer teaches a portable radio communication (see figure 1A, PDA 10) apparatus comprising:

a plate-shaped strap attachment portion (read on handle 50, figure 6A) connected with an end portion of a housing of the portable radio communication apparatus (see figure 6A, handle 50 has a central portion is parallel with housing of PDA, col.2, [0030]), and

at least one through hole formed in said strap attachment portion (see figure 6A, the hole between the handle 50 and PDA's housing, col.2, [0030]).

It should be noticed that Silzer fails to teach at least one part of an antenna element of said portable radio communication apparatus is provided on one of an interior and a surface of said strap attachment portion. However, Busch teaches such

features (see figures 1&2, the antenna 26 is integrated into the handle 16 and it is obvious that the antenna 26 can be place inside and on the surface of the handle).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Busch into view of Silzer in order to save space and made the device more compact.

Regarding claim 16, Busch further teaches at least one part of a parasitic element of said portable radio communication apparatus is provided on one of the interior and the surface of said strap attachment portion (Busch teaches an antenna integrated with handle. Therefore, it is obvious to have a conductor wire to run along with the handle).

Regarding claim 17, Silzer further teaches a thickness of a connection portion of said strap attachment portion which is connected with the end portion of the housing of the portable radio communication apparatus is larger than a thickness of a portion of said strap attachment portion which is apart from the housing of the portable radio communication apparatus (see figure 6D).

Regarding claim 12, Silzer discloses the invention, but fails to disclose at least one part of an antenna element of said portable radio communication apparatus is provided on one of an interior and a surface of said strap attachment portion. However, Busch teaches such features (see figures 1&2, the antenna 26 is integrated into the handle 16 and it is obvious that the antenna 26 can be place inside and on the surface of the handle).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Busch into view of Silzer in order to save space and made the device more compact.

Regarding claim 13, after combine Silzer and Busch teach the claim invention. Silzer teaches a reinforcement member formed between said boom portion and said housing (see figure 6A, handle 50 can fold or unfold), and Busch teaches at least one part of an antenna element of said portable radio communication apparatus is provided on one of an interior and a surface of said reinforcement member (see figures 1&2, the antenna 26 is integrated into the handle 16 and it is obvious that the antenna 26 can be place inside and on the surface of the handle).

7. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silzer, JR. (U.S. Pub. No.: 2004/0001022, hereinafter, "Silzer") into view of Busch (U.S. Pub. No.: 2001/0020335) as applied to claim 1 above, and further in view of Shoji et al. (U.S. Patent No.: 6,768,464, hereinafter, "Shoji").

Regarding claim 18, Silzer and Busch, in combination, fails to teach the antenna element includes a helical conductor. However, Shoji teaches such feature (see figure 1, helical antenna 22a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Shoji into view of Silzer and Busch in order to receive and transmit the signal in communication system.

Regarding claims 19-20, Shoji further teaches said meander conductor is formed so as to be bent three-dimensionally (see figure 1, meander 21, col.8, ln.15-20).

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618
April 13, 2006
Examiner

Tuan Pham


Matthew Anderson
SPE 2618